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LB 585

PRESIDENT MAURSTAD: Thank you, Senator Hudkins. Discussion?
Senator Chambers.

SENATOR CHAMBERS: Mr. President, members of the Legislature, this is in my territory now so I'm going to go ahead and deal with this as I would deal with it were it a bill before the Judiciary Committee. When you are defining an infraction which is a crime, the punishments are much milder, you have to be clear on what it is that constitutes the violation. Senator Hudkins and others have presumed that we're talking about an emergency situation. That is not in the amendment. It does not have to be in the amendment. It doesn't say that any of these people who are not law enforcement people have to wear a distinctive uniform, have to have any identifying anything to designate them as that. There are people who would put flashing lights inside of cars, pretended to be officers, pulled women over and mess with them. Others have flashed badges, and I've got articles to that effect. I didn't bring them today because I didn't realize this was coming up. This does not say that there has to be an emergency situation. All it says is if this...this category of persons are there and a sign says "temporarily closed", then you commit a traffic infraction if you enter any section of that road. So if Senator Conneally has a farmstead a little ways down the road, he commits an infraction by entering any of that area. And as for what Senator Janssen said about through traffic, first of all, the requirement that you not enter any section of it knocks out what Senator Janssen said. But even if you were going to say that somehow the term, "through traffic", would allow you to proceed some distance, we differ as to what that means. And when you have a criminal statute which this still is, you cannot create a situation where people do not know what is permitted and what is prohibited. Through traffic means one thing to one person, through traffic means something else to another, but we don't even have to worry about that because, as the amendment is drafted, you cannot enter into any section of a highway designated as temporarily closed. You cannot enter any section of that highway. Now I would like to ask Senator Hudkins a question, if I may.

PRESIDENT MAURSTAD: Senator Hudkins.